

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Derrick Roger Dowell**

**Docket No. 5:93-CR-73-1BO**

**Petition for Action on Supervised Release**

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Derrick Roger Dowell, who, upon an earlier plea of guilty to Possession With Intent to Distribute Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on December 13, 1993, to the custody of the Bureau of Prisons for a term of 300 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 10 years.

Derrick Roger Dowell was released from custody on March 21, 2014, at which time the term of supervised release commenced. On April 3, 2014, a Violation Report was submitted advising that the defendant tested positive for cocaine on March 31, 2014. Dowell signed an admission of drug use form acknowledging that he used powder cocaine on March 29, 2014. The defendant was verbally reprimanded for this drug use, counseled about his actions, and referred to outpatient substance abuse treatment. The court agreed to continue supervision. On September 1, 2016, a Petition for Action on Supervised Release was filed advising that Dowell tested positive for cocaine on July 28, 2016. The defendant signed an admission of drug use form acknowledging that he used cocaine on July 24, 2016, and agreed to return to substance abuse counseling. On September 2, 2016, the court ordered Dowell to complete 2 days imprisonment, which was completed on September 30, 2016. On April 3, 2018, the defendant's case was reassigned to the Honorable Terrence W. Boyle.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On February 27, 2018, the defendant provided a urine sample that was submitted for laboratory analysis. On March 4, 2018, laboratory analysis revealed positive results for cocaine. On March 22, 2018, when confronted with the positive results, Dowell admitted to using cocaine on approximately February 25, 2018. The defendant agreed to return for additional substance abuse counseling. As a sanction for this violation conduct, completion of 60 days of Location Monitoring with curfew is recommended. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Michael W. Dilda  
Michael W. Dilda  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2342  
Executed On: April 5, 2018

**ORDER OF THE COURT**

Considered and ordered this 6 day of April, 2018, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge